

Quid Novi

VOL. IX NO.22

McGILL UNIVERSITY FACULTY OF LAW
FACULTE DE DROIT DE L'UNIVERSITE McGILL

March 28 1989
le 28 mars, 1989

“If I Had a Summary”

*Printed by popular demand! The song that blew everyone away at Skit Nite!
The hit of '89! The unofficial law school anthem -*

Sung to the tune of “If I were a Rich Man”.
Lyrics by Ethan Friedman

Recite Dramatically:

Dear Professor

You've humiliated many students
I realize, of course, it's no shame to be humiliated
It's no great honour either
But what would be so terrible
If I only had a small study aid ...

Sing:

If I had a summary
Yuh buh ditty ditty ditty deidle deidle dum
All day long I'm pacing in the Pit
But if I had a summary
I wouldn't have to work hard
Yuh buh ditty ditty ditty deidle deidle dum
Case briefs, class notes that is not for me
If I had a sum-o-summary.

May they be typed, concise and expertly
crafted
Distilling what those lectures failed to do
Casebook, textbook left on the bathroom floor.

I'd jeer at Stevens and Simmonds, Grey, Scott
and Jutras
Skipping down those wicked corridors
Howling at the bookworms day and night.

If I had a summary

Yuh buh ditty ditty ditty deidle deidle dum
Exams approaching I really have to score
If I had a summary
I'd only need the weekend
Yuh buh ditty ditty ditty deidle deidle dum
Sick and trembling
Where can that Santa be
If I had that sum-o-summary.
I'll take a Shields, a Schilling, a Quashnock
or Lametti
As long as they're ranked in the top ten
Comms Trans, Obs Two, how else can I
change my fate.

I'll suck up to Schneider or someone who
I'd never choose to talk to
Copieville blow those Baudoin notes away
Scouts honour, it I will not circulate.

Oh ... (sigh)..

If I had a summary
Yuh but ditty ditty ditty deidle deidle dum
Law school education its nothing but a sham
Joe Starnino you know who I am
For year of incarceration been chasing that degree
But if I had a summaaaaaaaaaaaaaa!

Quotes of the Week

Prof. J. Webber in Civil Law Property:

“This is the very reason for you to read ahead of class.... It's the only way you can slow me down.

Prof. D. Klinck in Criminal Law:

“Certainly a child of 12 years of age has better control of his moral faculties than I do.”

Prof. D. Klinck in Equity and Trusts:

“I've never really understood the facts of this case... although I did write an article on it once.”



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ANNOUNCEMENTS

Term II Examinations

Term II Examination Schedules

Winter Term Examination Schedules are now available at the Student Affairs Office.

Examination Numbers

All examinations are written by an examination number; these are now available at the Student Affairs Office.

Deadline for Submission of Essays and Term Papers

Please note that all essays and term papers are due at the Student Affairs Office by Friday, April 7, 5:00 p.m.

Extensions are not granted without prior permission from the Associate Dean.

Legal Aid / Aide Juridique

Berthe pourra-t-elle poursuivre son propriétaire pour choc nerveux violent à la suite d'une invasion massive de coquerelles dans sa cuisine?

Pour tout savoir, venez travailler cet été quelques heures par semaine à la clinique d'aide juridique de McGill! (Etudiant(e)s de 1^{ère} année, ceci s'adresse à vous tout particulièrement.)

Vous pouvez laisser vos noms et numéros de téléphone au SAO dans l'enveloppe "Clinique d'aide juridique".

We are looking for summer volunteers who could work at the Legal Aid Clinic for a couple of hours a week. This might interest particularly 1st year students.

Please leave your name and phone number in the envelop marked Legal Aid Clinic at SAO.

Instructor in Law - University of Illinois

The University of Illinois College of Law is

looking for law school graduates interested in a one year appointment as a legal writing instructor. The instructors have the opportunity of simultaneously pursuing an advanced degree. Most legal writing instructors have been able to complete the required coursework for the LL.M within their year in residence. The Fellowships carry a minimum stipend of US\$ 25,000.00 plus a tuition waiver for the academic year. Interested persons should write to:

Dean Peter Hay,
College of Law, University of Illinois
504 East Pennsylvania Avenue
Champaign, Illinois
61820

briefly outlining their qualifications and requesting an application form.

Matching Program for the 1990-91 Term

At matching program is being implemented for the recruitment of articling students by firms in Toronto and Vancouver for the 1990-91 articling term. Students who are considering applying or have applied for such articling positions should submit a REQUEST FOR STUDENT AGREEMENT form. These forms are now available in the Admission/Placement office, room 14a.

Summer Research Position Available

1. **Professor:** H. Patrick Glenn

2. **Nature of Job:** Research in a number of subjects:

- i) Feminist Legal Theory and Enlightenment Concepts of Law
- ii) Rhetoric and Legal Tradition;
- iii) Choice of Law in Canada.

3. **Eligibility:** Reading knowledge of English and French.

4. **Number of Weeks:** 18 weeks commencing beginning of May.

5. **Wage:**

Completed 1st year	\$5.00/hr
" 2nd year	\$5.25/hr
" 3rd year	\$5.50/hr
" 4th year	\$6.00/hr

6. **To Apply:** Submit a C.V. to Professor H. Patrick Glenn with a covering letter, including grades. Interviews will be held later this month, or in early April.

7. **Competition Closes:** April 3, 1990.

A decision will be announced as soon as funding is confirmed.

On the Lighter Side... More Morissette on Morissette

At break-time recess in N.C.P., he invites:

"Those of you who have small animals you'd like me to torture, please bring them by. I'll gladly oblige."

He later added:

"I have heroes. I like small animals."

And confessed:

"I find teaching this course is depressing. It's so anal."

Finally, he demonstrates his flair for encouraging classroom debate. To a soft-spoken student:

"You'll have to speak louder... They're already asleep, mind you."

Student: "That's not *my* fault!"

MORE DEBATE ON THE LANGUAGE PROPOSAL

by Norbert Haensel, B.C.L. IV

It is my turn. I have to add my bit to the language debate after reading the Daily's front page article concerning the Curriculum Committee's proposal on language. I am pleased to see that a member of the student body went to the effort to submit that article to the Daily and have it printed. Otherwise, I was disappointed. To avoid being redundant, I agree with Jeanne Cadorette's criticisms as they appeared in last week's Quid.

I welcome the language proposal. It may not be perfect, but then I haven't heard any better ideas. It addresses at least one of my concerns. The proposal, if implemented, should result in more classes being offered in French. Presently such upper-year classes as are offered tend to be undersubscribed (eg., last year's Consumer Law, this year's Advanced Labour) and therefore risk being cancelled (as was the case with Legal Profession) or not offered again simply because the costs involved are difficult to justify. An exception is Special Contracts II, but the fact that it is a semi-obligatory account for the difference. A credit requirement as proposed should see enrolment in such courses increase as the "easy way out" is eliminated, and would therefore justify the hiring of more French language professors or practitioners.

Some perceive this proposal as being "discriminatory". "Discrimination" - like "class" or "elite" - is a funny word. Its connotative meanings act as a red flag. Little thought is given to its denotation. To make the point, a "discriminating person" need not be a fascist pig! Discrimination can be just. When I applied to law school, I was subject to "discrimination" on the basis of standards incorporating undergraduate grades, LSAT scores and written fluency in the English language. Those who call such practices "elitist" are quite correct. They are. I wouldn't want it any other way. If this faculty were to further "discriminate" on the basis of requiring a certain greater use of the second official lan-

guage, I could not object. I came here from Calgary precisely because I understood this faculty to have a "discriminatory" language policy. I studied French for four years, and chose this faculty primarily because I thought it would be logical to exploit my undergraduate education in conjunction with legal studies. I am a little disappointed with the extent to which I could exploit my knowledge, but this faculty still provided me with an opportunity I could have had nowhere else. The result is that I feel sufficiently secure with both law and language to begin my legal career in Montreal.

Would the Language proposal, if implemented, result in the exclusion of a significant number of potential applicants from outside of Quebec? Or even result in an exclusion of unilingual anglophones (and francophones) from within Quebec? Perhaps in the short term. But so what! First, we are a special Faculty. In addition to requiring high marks, high LSAT scores and mastery of either the French or English language, we already do have certain language standards of which all applicants should be aware. So we are required already to do a substantial amount of reading in both languages. Why not have a curriculum requiring a slightly greater application of the other official language? Our standards will

simply be a bit higher than is the case for any other law faculty. Second, rather than seeing more students being turned away (or off) by a language policy, I think the long term would show our faculty to be in the forefront of burgeoning national recognition of the benefits of bilingualism. What national recognition you say? All across Canada, immersion schools cannot meet demand! The products of this system will desire - if not demand - a faculty that can cater to their unique talents. They, much like myself, will seek to exploit their linguistic ability within the context of legal studies. McGill must be the first and perhaps only faculty of law to offer these people such a law program!

The argument that requiring certain credits in the other language is "coercive" is quite true. Yet our legal training as such is no more or no less "coercive". We are required to take certain courses, certain professors, a certain number of credits, and so on. Once we enter the working world, we will be coerced into wearing a shirt and tie, working hard for long hours, etc. "Coercion" begins with our birth and ends (hopefully) only when we die. Such is the nature of social interaction.

Bilingualism in Canada (and in the world) is not merely a political issue. It is also a cultural, economic and social issue. I believe the competitive and attractive job applicant of the future, whether his background is English, French, aboriginal or immigrant, will have to have a functional knowledge of more than one language. Ours can be the first law faculty graduating a recognized "class" of intelligent, articulate and bilingual legal practitioners and academics; leaders not only in the legal community but in the political and business communities as well. As Jeanne Cadorette said, this language proposal is "un pas dans la bonne direction".

Finally, the argument that implementation of the proposal should require the Faculty to also offer outside credits in French language in-

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Calendar of Events

March 31 12h00 Room 202
Legal Theory Workshop:
Michael Moore (Southern California)

March 31 8h00 Moot Court, Rms 101, 102 and Common Room
Law & You Seminars: "Implementation of the Free-Trade Agreement - Laws and Regulations"

April 1989

April 3 17h00 Moot Court
Quebec Bar Prize Moot

April 5 12h00 Common Room
LSR/AFCS Final General Meeting
1989-90 Executive Elections

April 5 12h00 Room 202
Faculty Workshop: Martin Boodman
"Coming to Terms with Article 1999(1) C.C.L.C.
[N.B. : Note change of date]

Moots

N.B. Nos excuses les plus sincères au Professeur de Mestral pour la partie de son texte qui fut oubliée dans le dernier numéro du *Quid Novi*.

Concours Rousseau par Prof. A.L.C. de Mestral

Le concours de procès simulé en droit international Charles Rousseau a eu lieu à la Faculté le vendredi 10 mars.

Notre équipe formée de Pascale Chapdelaine, Cameron Young, André Ouellette et Henry Mizrahi a reçu le prix du deuxième meilleur mémoire et a gagné le concours. L'équipe représentera le Québec lors de la séance finale à Genève le 12 mai prochain. A Genève le concours aura lieu dans la salle où l'affaire de l'Alabama s'est plaidée en 1872.

The Quebec Bar Prize Moot by Prof. A. Harvison-Young

Last week's article "May It Please the Court:

"Mooting and Beyond" was a welcome encouragement to all students, and especially first year students, to consider competitive mooting.

A "preview" of the competitive mooting experience will be available for all on Friday April 3, when the Quebec Bar Prize Moot will be held in the Moot Court at 5:00 p.m. This year's team was selected by the teachers, of the students in the Appellate Advocacy Course, Me R. Silverson and Mr. Justice J. Sopinka and consists of Sally Gomery, Jean Lortie, Steve Schenke and Brad Wylenko. This is an intra faculty moot and the "prizes" include cash. This year the mooters will plead from factums filed in case presently before the Supreme Court of Canada. This year's case is one of the mandatory retirement appeals scheduled to be heard later this spring. We will be fortunate to have the Honourable Mr. Justice E. Kaufman, the Honourable Mr. Justice Rot

cont'd on p.

L.S.A. AWARDS - PRIX DE L'A.E.D.

RECIPIENTS - RÉCIPIENDAIRES

The L.S.A. Awards Committee has selected the recipients for the following awards. *Le comité des prix de l'A.E.D. a choisi les récipiendaires pour les prix suivants :*

Alan Neil Assh Awards (sports) - *Les prix Alan Neil Assh* (sportifs)

The Alan Neil Assh Awards are awarded to any student, up to a maximum of four, who has contributed to sporting endeavours of the law faculty during the year. — *Les prix Alan Neil Assh sont décernés annuellement à tout étudiant, jusqu'à concurrence de quatre, qui a contribué à la vie sportive de la Faculté durant l'année.*

Randall Hofley Catherine Rakush
Steve Michelin Anne-Marie Sheahan

Participation Awards — *Les prix de participation*

Participation Awards are awarded to any student, up to a maximum of six, who has contributed to the Faculty community through participation in extra-curricular and co-curricular activities during the year. — *Les prix de participation sont décernés annuellement à tout étudiant, jusqu'à concurrence de six, qui a contribué à la vie étudiante de la Faculté par sa participation à des activités para - et périscolaires durant l'année.*

Karen Amaron Norbert Haensel
Ali Argun Dimitri Mastrocola
Anthony Fata Melinda Munro

Law Students Association Association Awards - *Les prix de l'Association des étudiantes et étudiants en droit.*

The Law Students Association Awards are awarded annually, to a maximum of four students in their graduating year, who have made outstanding contributions to the life of the Faculty over their three or four years. - *Les prix de l'Association des étudiantes et étudiants en droit sont décernés annuellement à tout finissant, jusqu'à concurrence de quatre,*

qui a contribué exceptionnellement à la vie de la Faculté durant son séjour de trois ou quatre ans.

Lisa Balaban Shahir Guindi
Gary Bell Dave Lametti

Presentation of Awards—*Remise des Prix*

The Alan Neil Assh Awards and the Participation Awards will be presented at the final Happy House Coffee Hour of the semester on Thursday, March 30 in the Common Room,

Moots

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man of the Quebec Court of Appeal as well as Madame Justice H. LeBel of the Superior Court.

For those considering competitive mootling, this may be your only chance to see what you may be in for "real" judges and all! For everyone in the faculty, it is a chance to come out and support those involved, and continue a long standing faculty event. A reception will follow in the Common Room.

at 5 pm. — *Les prix Alan Neil Assh et les prix de participation seront remis au dernier Happy House Coffee Hour de la session le jeudi 30 mars à 17h00, au Common Room.*

The Law Students Association Awards will be presented at the Graduation Ball the evening of May 5 at the Château Champlain. — *Les prix de l'Association des étudiantes et étudiants en droit seront remis au bal des finissants, dans la soirée du 5 mai au Château Champlain.*

Language Debate

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struction courses can be met with this analogy.

If you wanted a job with a law firm in Hong Kong, and you were told only persons with a knowledge of Cantonese need apply, would you expect this firm to subsidize your acquisition of some knowledge of this Chinese language? I think not. Rather, you would think that the firm is looking for some particularly qualified person, and you may or may not fit the criteria.

Bar/Bri - New York Bar Review Program

Quebec, Ontario and British Columbia define only the limits of your imagination, not the possibilities available to you as a law school graduate. Alternatives do exist outside of Canada, and New York is one of the more attractive of these. Bar/Bri offers the most extensive of all the bar preparatory courses in New York, as well as offering preparatory courses for bar exams in most other states.

Being a member of the New York Bar also has attractive advantages for the student who is not necessarily interested in practicing law, either in Canada or in the States. If you are considering working abroad, being a member of the New York Bar carries considerable weight with overseas companies.

All those interested in either writing the New York Bar, or simply in obtaining more information, are asked to contact Joani Tannenbaum at 989-1529 for details.

A Conversation with Bing and Bob

by Robert Besunder, LL.B. III

Brian Shiller, B.C.L. III

Lisa Balaban, B.C.L. IV

- So, Bing, can you believe that Skit Nite is finally over?

-Not yet, Bob. I'm still waking up in the middle of the night imagining that I'm hearing fish jokes.

-Cod you speak louder, Bing, I'm not *hering* you very well.

-See what I mean. You know, on a serious note, we should thank the people who put in so much of their time to make Skit Nite a success.

-Why, you're very welcome. But there are people much more deserving than myself.

-Like George Ahtipis, André Ouellette, Adrian Whyatt, Tim Law, Karen Amaron and her friend, and...

-Hey, this isn't a list. but as long as we're on the topic of people who carried equipment, why not mention the Cool Monsoons, who masqueraded as toadies. And Smaranda Ghibu who helped with making signs, *inter alia*..

-Right you are, and of course, Bob, you know that Kathleen Murphy, Juli Ann Aboucher, Anne-Marie Waters, and Sean Gaudet helped carry chairs out of the ballroom, among other things, and Bob Higgins and a Micheline carried them into the ballroom. And then there were those who helped backstage with things such as make-up.

-I know, I know. Let's see, there was Geeta Bharadia, Hélène Tessier, Birgitte Roy, Cheryl Buckley... And speaking of make-up, what about the incredible accounting of Julie Quon?

-What has make-up got to do with accounting, Bob?

-I give up. What has make-up got ...

-STOP! I wasn't leading into a punchline. Hey, how about those people who made a photographic record of the evening, like Julie Godin, Louis Mignault, the cable guy, and Ali Argun, who also performs a high-wire act.

-Surely you can't be serious.

-Don't call me Shirley. And Bopb, we shouldn't forget Jacqueling Weber, Richard Swan, Joanna Rainbow, and Jane Adolphe.

-Of course not. They helped immensely on Friday, after the show. You remember, it was like a scene from "The Night of the Living Dead."

-Yeah, it did get a bit scary when we heard the theme from the "The Poseidon Adventure."

-You watch far too much television and see far too many movies, Bing. but speaking of television, we should also thank the stage crew.

-Smooth transitional sentence, Bob. And you would be referring to Anthony Fata, Kerry Buck, Brian MacFarlane and the Michelins, rob and Steve, wouldn't you?

-I would indeed. And I would also thank David Steele for his contribution to Skit Nite. And while we're speaking of steel, let's mention those who are the framework of our faculty, the professors.

-I hear you, Bob. Professors Sklar, Toope, and Boodman all lent their talent to Skit Nite, and they were joined by the Dean and Mrs. Lederer. And how about Maria Battaglia for being such a good sport.

-As long as we're thanking people, let's also put in a good word for Alan and the guys at the Physical Plant.

-Okay, what word do you want to put in? (Pause) but seriously ...

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Effort collectif Class Action

par Jeanne Cadorette, LL.B. IV

La campagne de "l'Effort collectif" bat son plein. Vos amis vous ont sûrement déjà contacté pour solliciter votre appui à cette campagne de financement tout à fait novatrice. Seize personnes (selon les derniers chiffres obtenus) ont déjà promis de donner et un montant de \$1,460 est déjà garanti. Le but est d'atteindre un participation de 100% pour établir un fonds qui servira une bonne cause (celle du *Quid Novi* en est une selon mon opinion tout à fait objective!)

Nous vous demandons de donner vos cartes complétées pour mercredi le 29 mars. La dernière édition du *Quid* vous donnera un compte-rendu de la situation mais si la tendance se maintient le *Quid Novi* prévoit un véritable balayage de générosité. Merci à

l'avance!

The "Class Action" campaign is well on its way. Your friends have probably solicited your support for this novel financing campaign. Sixteen people (according to the most recent figures) have already promised to give and an amount of \$1460 has been pledged. We are seeking to get a 100% participation rate to establish a fund for a good cause (and in my objective opinion, the *Quid Novi* is a good one!)

We are asking you to fill out your pledge cards and to give them back by Wednesday, March 29th, 1989. Next week's issue of the *Quid* will provide you with an up-to-date total. *Quid Novi* is predicting a high response. Thank you in advance.

Skit Nite A Brilliant Success: “A Thousand Points of Light”

by Dan Urbas, B.C.L. II

Exam numbers *make* Skit Nite. Without this guarantee of anonymity on final exams, there would be no outrageous skits, no tormenting of profs and no \$15,000 raised for charity. All profs can now do is slouch back in their chairs, chew their thumbnails and glare at the students on stage wondering “Is he/she in my class? What does his/her handwriting look like agains” (Yes, profs even *think* in gender neutral language, complete with “slash” pronunciations.) At Skit Nite '89, some profs needed *three* thumbnails. I guess that's why *they* bring dates.

Mike Gaon and Vincent Lesage - the Captain Highliner and First Skipper of fish jokes - hosted this year's Laws Vegas Skit Nite '89. Decked out and dapper in black tuxes, Mike and Vincent made the first fashion statement of the evening: when is the *correct* time to wear bow ties. Looking around the following Monday, I noticed that some profs missed this sartorial show-and-tell advice.

Mike and Vincent bravely dove into a swamp full of fish jokes which netted a few laughs. They cast about for some more corny puns to bait us on before setting us adrift for the evening with “Remember, the more we drink, the funnier we'll get”. This prompted a surge in beer sales in the misplaced hope that the same would work for us. Needless to say, we drank like fish.

Mike entertained us at intervals with his gifted caricatures of Durnford, Scott, Toope and Morissette, seizing on their mannerisms like a seasoned comic. (“Will the real Morissette please stand up?”) But do you think he'll be allowed to graduate? Vincent reappeared in “Interlude” in tutu leotards. He arguable has better legs than he has fish jokes; at least his stocking legs are *always* funny.

Mike and Vincent reappeared together once

again to sing “When I Pass the Bar”, the official SN song. This number trenched across all harmony laws. Their act was a comic hybrid - a cross between a Las Vegas lounge act and pious choir boys on crack; between Mad Max and Dean Martin but in *stereo*. Show organizers scheduled the one and only intermission right after that number.

At intermission I overheard one prof urging another - “Hey, relax. Make yourself at home: fail somebody.”

With the help of Robin Reid, show directors Brian Shiller and Robert Besunder kept the show's pace up. They maintained the momentum even during black outs and set changes with their imaginative use of taped vignettes. Who'll forget the plaintive shriek in the dark “Mr. Lee! Mr. Leeee!” He does answer the phone only to stonewall book borrower “Macdonald, Rod”. “You want a book? Have you tried 5th floor? 4th? Maybe someone borrow it? Why you ask me?”

The Club Med jingle “Hands Up!” threaded the show together, lending it a sense of continuity. The audience, like patrons in a well-run restaurant, were never left unattended or wanting.

No one could beat the band this year. The Cool Monsoons were hot, laying down most of the rock tunes for the night. They dressed in their hip designer tie-die shirts, handmade in his bathtub by the now-discoloured Jordan Waxman. The Monsoons cut into the evening with the “Midnight Hour”, a reference to when most law parties usually start to roll. The core of the group - the eye of the storm - are André Chaker, Seth Dalfen, Kurt Johnson, Gordon Levine, Brian Shiller and Jordan Waxman.

Replacements did come in at times. The Monsoons had more staff changes than a federal cabinet or the Supreme Court. Rob Campbell on guitar and lead mouth and Ken Aboud on guitar and back-up beard joined the Monsoons for an electric rendition of Elton's

“Saturday Night”. These guys can *play*. They rocketed into the number, careened along the guitar frets and skidded to an abrupt halt at the song's end, like a Jag into a brick wall. Great stuff! I'm *sure* I saw a bra thrown up at the band tied to a hotel key. Pending identification, the cups and keys will be dusted for prints in the next criminal law classes unless claimed. Keyboardist Brian Gelfand replaced Seth for one number joining Ken and the Monsoons for “Kansas City” with Rob growling out the lyrics. SN was a real showcase for the Faculty's rock talent.

cont'd on p.11

“A Little Black Spot on the Sun Today”

by Dan Urbas, B.C.L. II

I set this comment aside so as not to detract from the overall success of Skit Nite 1989. One skit had a clever premise but misused its opportunity and took unfair swipes at both profs and students. Several letters and comments appear elsewhere in this week's *Quid* which develop more fully people's objection to having been made, as an audience, unwilling participants in the malicious jokes. They feel cheated and rightly so.

Speaking about profs and students - a joke is *not* a repetition of a sorry truth, an imagined secret or a mean fabrication which only serves to draw titters, smirks and nervous laughter. The show organizers can't patrol every skit's participants: that would be too paternalistic and would be unmanageable in practice. There's a *thick* line between malice and satire. Didn't those four skit participants see that broad swath when they walked across it?

Skit Nite is a charity benefit and charity begins at home. Laughs shouldn't be only for those who can afford to laugh.

All
Students and
Faculty are cordially
invited to the

Class Presidents'
Reception

Wednesday, March 29
12:00 to 14:00
in the Common Room

Complimentary luncheon
and refreshments
will be
served

A Ballad Rebutting Dan Slurbash's Strutting

- OR -

*"You threw down the gauntlet, Dan, the battle has begun
And though your first stab cut me close, my man,
you've hardly won!"*

by Timothy Egan, LL.B. II

Dan Slurbash, Dan Slurbash, your slurs are
in vain,
Undaunted, untainted, my soul will not
stain.

Forewarned by past tirades of verbal abuse
I'm not even phased by your *Q.N.* refuse.

How spend you your days, man? Do you
stare at the wall?
With desperate abandon, do you seek out
one call?

I see it all clearly, your dreams could come
true.
Let's live your ambition, the *Quid*, me and
you.

One bright early morning ... Dan's name up
in chalk?
Oh, how we'd all whisper as past us he'd
walk:

"There goes Dan Slurbash, that man's made
the grade
He's off for a message, yes, he's got it made."

Is that what you think, Dan? Does this turn
your crank?
Let all your dreams shatter, I'm going to be
frank.

It's not for remedial work that I go
To the most-helpful women we've all come
to know.

It's for other reasons, and to you they pertain
And now, for the record, I'll succinctly ex-
plain.

The *Quid* 's at the root, it's gone off track
And it seems that old Slurbash will bear the
attack

To ward off the dangers of impending doom
I made it my cause to dispense with the
gloom.

I write letters daily to all of our profs
I beg them "Have mercy, ... dear people,
don't scoff."

"Now, Slurbash's writing may not meet the
grade,
But we all must remember, the poor boy's
not paid!"

Responses to me come through Student A.O.
With unforeseen interest our profs try to
show

That Slurbash's style lacks tact, wit and
grace
With the *Quid* 's public status they fear we
lose face.

Ironic, it seems now, but, dear Dan, it's true
You critique all my efforts intended for you!

And as for you future? Oh, Dan, who can
tell?
For my part, I'll stop here and say fare thee
well!

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La Révolution tranquille proprement dite

Quatrième partie d'une série de cinq
par François Cossette, LL.B IV

Le 22 juin 1960, le parti libéral arrache le Québec à 16 ans ininterrompus de pouvoir unioniste. Les libéraux exploitent au cours de l'élection plusieurs créneaux thématiques dont les plus percutants sont le rejet des anciennes valeurs conservatrices et la dénonciation des retards que le Québec a accumulés depuis plusieurs années par opposition au rattrapage et à la modernisation qu'ils proposent. Cessant de voir le Québec comme une société marginale, essentiellement rurale et traditionnelle, on insiste au contraire sur son caractère urbain et industriel, et sur la nécessité d'ajuster les structures politiques et institutionnelles à cette réalité, au moyen de vastes réformes. Il s'agit, par là, de mettre le Québec à l'heure de la planète, comme on dit, c'est-à-dire de le rapprocher de ces modèles de sociétés modernes et dynamiques qu'incarnent au même moment les États-Unis du président Ken-

nedy ou la France de la cinquième République.

Il est erroné cependant de croire qu'un consensus social s'établit dès 1960 sur les objectifs poursuivis. En réalité, la victoire libérale de 1960 demeure extrêmement mince et tous ne sont pas acquis aux bouleversements projetés. À ce sujet, notons que ce sont surtout les régions urbaines qui ont contribué à l'élection de l'équipe Lesage tandis que le monde rural demeurait fidèle à l'Union nationale. L'analyse que faisait P.E. Trudeau dans "Cité Libre" des élections du 22 juin a de quoi ramener sur terre les tenants du balayage libéral:

"D'abord, il serait hyperbolique de parler de balayage: la masse du peuple a continué de voter bleu et rouge et les plus énormes scandales n'ont pu la faire bouger; seulement cinq pour cent des électeurs ont changé de camp et il y a fort à parier qu'ils furent largement recrutés parmi le jeune électorat.

(...) Les victoires et les défaites des candidats libéraux ont été décidées dans un grand nombre de cas par des majorités très faibles. Et si deux pour cent des citoyens avaient voté U.N. plutôt que libéral (c'est-à-dire quatre personnes par poll), l'Union nationale aurait balayé la province une fois de plus. Ces chiffres démontrent que la victoire des libéraux tenait à un fil."

Le balayage viendra cependant sur le thème de "Maîtres chez nous" en juin 1962 avec le projet de nationalisation de l'électricité. Mais en 1960, la victoire demeurait fragile. La situation économique n'est guère rayonnante en ce début de décennie, la province fait face à une récession amorcée en 1957 qui crée une hausse du taux de chômage qui s'établit à 9.2%. Et comme nous l'avons vu précédemment, l'économie présente des problèmes structurels auxquels le gouvernement unioniste a refusé systématiquement de

suite à la p. 12

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Bing and Bob
cont'd from p. 6

-Yes seriously, I'm sure we've forgotten many people who deserve to be thanked (like Alan Katz and Benji Blustein), but who, for reasons of damage to our thought processes caused by Skit Nite, just slipped our minds for a moment. To those people, we should just extend a big thank you.

-All right, let's do it on three. One ... two ... three ...

-THANK YOU!

-Okay Bing, enough sentimentality and gratitude. Let's get down to the business of evaluating Skit Nite.

Well, Bob, I think for the most part we provided good, clean, family entertainment, with a minimum number of toes being stepped on. You know, it's funny, but a lot of what we saw at rehearsal was completely different on stage. Take some of the skits, for example. On paper they were just words ... on stage, they were magic.

-Oh, did I miss that part of the show? Who hired the magician?

-Stop fishing for a punchline, Bob. As I was saying, what we saw on stage sometimes came as a complete surprise to me. Mostly pleasant.

-You wouldn't by any chance be alluding, however, in a very roundabout way, to the feeling that some of the material in the show may have crossed the line of taste and fair comment, would you?

-Well, ...

-And you wouldn't be hinting at the fact that the directors of a show cannot exercise complete control over what goes on during a skit, would you?

-Uhh, well ...

-And you wouldn't be apologizing for any upset or hurt feelings, or any embarrassment suffered as a result of this material, would you?

-Of course I would.

-To quote Vincent Lesage, our host along with Michael Gaon (who were both helped by the adept stage management of Robin Reid)... what was I saying before that Parenthetical clause?

-To quote Vincent Lesage ...

-Oh yes, to quote Vincent Lesage, "we try our best to entertain, and if some people ... "

-He never said that.

-Okay, but we had to get his name in the list somehow.

-Continue, then.

-"We try our best to entertain, and if some people should cross the line of better judgment, it falls on our shoulders as those in charge, but ultimately, we must put our faith in the wisdom of the performers and the audience, for we are but the captains, and not the ship."

-That was beautiful. Who really said that? Bill Tetley?

-No. Pee Wee Herman.

-You're losing it. We'd better say goodbye before we start talking about next year's Skit Nite. Say goodnight, Bob.

-Goodnight Bob.

FIN (Not another fish joke!)

A Thousand Points of Light
cont'd from p. 7

Most of this year's skits were musical. The outrageous "What's Law got to do with it?" answered the burning question "what do male judges wear under their gowns?" Who can forget - and people have tried - seeing Charles O'Brien, Abdul Souraya, Randy Marusyk and Martin Sheehan lumber the Can-Can while bemoaning "who needs a law when the law can be broken?" Underwear and choreography by the late R. Stanfield.

Shahir Guindi gave new meaning to the term "summary conviction" in his solicitor-on-a-roof version of "If I had a Summary". The sympathetic audience heartily agreed, clap-

ping heartily along to the chorus.

Prof. Boodman threw a bridge over troubled waters in his wry folk song about Bill 178. He urged us all to "stamp your feet if you find the beat" in his "Notwithstanding, Notwithstanding, We got Rights". Pierre-Marc Johnson didn't exactly dance to the song but I do believe he bobbed his head to it.

The evening award for "concision in humour" went to the nine member skit "Interlude". The six member choral group, Master McBride and the NCP Motions, did an acapella number complete with instructional conductor André and ballet mimes Vincent and Smaranda. In all, they used only two words to taunt the NCP Glitter Twins Toope and Morissette. Like exams, it's never *what* you say, it's *how* you say it. A-plus.

Diana Young. What is this girl doing in law school? She is no stranger to performing at law faculty functions and has appeared at recent LSR fundraisers - she's like one of those jewels you like to flaunt and wear conspicuously on your big night out, like Skit Nite. You'd call Legal Aid just to hear her sing the blues. Accompanied only by her black guitar, she hushed the crowd which roared when she finished. She is currently barred from participating in competitive moots because of the unfair advantage her voice gives her when pleading.

Another new jewel to add to McGill's pride is newcomer Ann Martin from the Rock - you know, Newfoundland, where they get everything a half hour ahead of us, except the jokes. She joined fiddler Francis Maloney and guitarist Steven Smith after their pleasing instrumental piece. In a clear, strong voice, Ann sang "Johnny Be Good" - not the Chuck Berry rock version but the Rock version, a Newfoundland folk song. She could have sang it acapella as she has done in the past and with only two mikes for three performers, might well have done so. Another mike would have helped.

Brian Shiller and Stacy Zosky captivated the audience in their "House at Pooh Corner" duet in two-part harmony. It was warm, sweet and over too soon, like ...? My only question is, if they're so sensitive and caring, why are they going to be lawyers? I say *kill* cont'd on p. 12

La Révolution Tranquille suite de la p. 10

porter attention et qui contribue au déclin de la province et au chômage élevé. À partir de 1960 cependant, les choses iront très vite et les réformes se succéderont à un rythme démentiel. En réponse à un journaliste sur la direction que prenait le gouvernement, Lévesque répondit: "Ma foi, je n'en sais trop rien, mais on y va vite!"

À partir de 1960, la vapeur est totalement renversée et l'État occupera désormais une place centrale dans le développement global du Québec. Les dépenses publiques passent de 91.1 millions en 1945 à plus de 3 milliards 148 millions en 1970. L'augmentation des dépenses qui était de 11.4% entre 1954 et 1959 passe à 20.9% entre 1960 et 1965. Durant la même période, la Fonction publique s'accroît de 53% et l'on assiste à la création de 27 nouvelles institutions administratives supérieures.

La pression économique de l'État prend alors plusieurs aspects: d'une part, on demandera au gouvernement de jeter les bases d'une politique d'achat chez nous et de voir à l'élaboration d'une stratégie de développement industriel dont l'objectif sera de mettre un terme à l'érosion du poids économique de la province. D'autre part, ces mécanismes devront suivre trois lignes directrices bien précises: 1) accroître le rôle de l'État dans l'économie 2) moderniser les structures de production 3) remédier à l'infériorité économique des francophones. Pour ce faire, on met sur pied en 1962, le conseil d'orientation économique du Québec (qui deviendra l'OPDQ) à l'intérieur duquel "pour la première fois de l'histoire, des hommes d'affaires francophones furent invités en bloc à participer à l'élaboration de la politique économique de la province."

La même année, la Société générale de financement voit le jour. La S.G.F. est principalement un holding financier à participation mixte qui a pour but de fournir du capital aux petits entrepreneurs et de consolider les entreprises en difficulté. Les premiers résultats sont plutôt insatisfaisants notamment dus à des problèmes de gestion et une trop grande dispersion, de sorte qu'en 1971, la S.G.F. est restucturée et devient totalement gouverne-

mentale. Elle visera désormais à développer et à regrouper des entreprises d'un même secteur (outil de concentration) et elle s'associera à la grande entreprise privée dans des projets conjoints (joint venture). Sa mission initiale sera confiée à la Société de développement industriel (SDI) formée pour l'occasion. Celle-ci aura également pour tâche de réaligner le capital francophone, la P.M.E. plus spécifiquement, vers les secteurs de l'industrie lourde et des biens d'équipement. En 1964, le gouvernement québécois crée le Régie des rentes du Québec et l'année suivante la Caisse de dépôt et de placement. Ce gest sera l'occasion d'une lutte sans merci avec Ottawa sur le contrôle des fonds de pensions publics. René Lévesque décrit la tension qui régnait:

"Dans l'affrontement sur les pensions, nous avions de plus le bon sens de notre côté. Pas question de lâcher. Les fédéraux se refusant tout aussi mordicus au moindre recul, les pourparlers furent rompus. Pendant une bonne dizaine de jours, ce fut même comme une vraie rupture des relations diplomatiques. (...) Mais l'important, c'était que le bras de fer se termina à notre avantage et que le Québec, plus ou moins suivi par le reste du Canada, pu organiser librement son propre Régime des rentes et sa Caisse de dépôt."

La Caisse aura donc le mandat d'administrer les sommes perçues par la Régie des rentes et graduellement elle obtiendra la gérance de plusieurs fonds émanant de diverses régies gouvernementales. Constituée de capitaux considérables, la Caisse aura également la mission de soutenir le financement d'entreprises privées et publiques. Son comportement sera très prudent jusqu'à la fin des années 70 où, sous l'impulsion du gouvernement péquiste, elle deviendra extrêmement active dans le secteur privé, augmentant sa part du capital de risque, prenant le contrôle de plusieurs entreprises oeuvrant au Québec et constituant un solide réseau de financement. En peu de temps, elle possédera le plus important porte-feuille d'actions au Canada et imposera sa puissance sur les marchés financiers canadiens. L'establishment canadien réagira plutôt mal à l'émergence de cette nouvelle force. Cette réticence s'exprimera concrètement au début des années 80 alors qu'il appellera le gouvernement fédéral à l'aide devant la menace d'une prise de contrôle appréhendée

du Canadien Pacifique. Ottawa introduira, en réponse à ces craintes, le projet de loi S-31 limitant à 10% la participation des sociétés gouvernementales provinciales dans les compagnies de transport. Le projet de loi, qui visait spécifiquement la Caisse de dépôt, souleva un tel tollé de protestation au Québec, que le gouvernement Trudeau dû se résigner à faire marche arrière.

La mise sur pied de la Caisse de dépôt permet également de constituer un syndicat financier d'emprunt dont le gouvernement québécois peut jouir à sa guise, le libérant ainsi du joug que faisaient peser les syndicats d'emprunt, surtout anglophones, par lesquels il devait absolument passer précédemment pour faire des emprunts sur le marché. Depuis 1929, le tandem A.E. Ames & Sons/Banque de Montréal détenait un monopole sur les emprunts de l'État. Cette dynastie sera mise en pièce par Eric Kierans; plus particulièrement, le boycott systématique de l'émission d'obligations destinées à financer la nationalisation de l'électricité par A.E. Ames avait fait prendre conscience au gouvernement Lesage de l'importance de posséder ce levier:

"Cette séquence d'événements révélera la vulnérabilité de l'État québécois et convaincra le parti au pouvoir de la nécessité de changer les règles du jeu, et de trouver un moyen en vue d'aménager une place plus stratégique aux petits courtiers au sein du syndicat financier."

A Thousand Points of Light cont'd from p. 11

the bear.

The Las Vegas Elvis is alive and studying law at McGill. He took time off to grind out "Lil Sister". So that's what they mean by child-bearing hips. Elvis resurfaced to sing an "Endless Love" duet with Jackie Weber. You have to ask "What a nice girl like her doing with Elvis? He's no good for you Jackie. He'll only break your heart (or steal your briefs)." Despite its disapproval of the match, the audience clapped appreciatively.

Monsoon lead vocalist André Chaker went solo with his two pips, er, 'pipettes' Pascale Chapdelaine and Anne-Marie Sheahan to sing Renaud's "Morgane de toi". André is

cont'd on p. 14

Letters to the Editor

Dear Jeanne,

It is time that we both practice what we preach.

Your comments in the *Quid* of March 20, 1989 suggest that I misled the readers of the *McGill Daily* by my article therein of February 15, 1989. If that is your view, you are absolutely wrong for the following reasons:

- 1) You were one of the seven students interviewed for the article.
- 2) None of the students or the faculty members quoted in the article has to date complained that I either misquoted or quoted any of them out of context.
- 3) No where in the article where it was necessary for me to provide background or contextual information is it stated or implied that the proposals are anything but that, or that they are to be implemented as either admissions or graduating requirements.
- 4) However, most interviewees, *including yourself*, chose to comment on different possible alternatives including the "admissions" or "graduating" option. This may have been necessitated by the vagueness of the discussion paper in relation to implementation of the proposals. As the writer, my function was to canvass a broad range of views and to ensure that they were accurately reflected, irrespective of my personal preferences. I am satisfied that I achieved this with even a greater degree of success than I had thought possible.
- 5) As the Editor-in-Chief of the *Quid*, you are no doubt aware that a writer is responsible only for the actual article itself; he or she is not responsible for the headlines, subtitles, editorial comments, or where in the newspaper the article is placed. The body of the article contained no background or contextual references that were in any sense misleading. I was "strictly accurate".
- 6) However, being a journalist yourself, you should also know that editors do use head-

lines and subtitles to stress an aspect of an article. A writer such as myself rarely, if ever, has any input into this type of decision.

- 7) Therefore, when you realize that what I wrote is actually the body of the article, starting at the by-line, you must admit that I have not misled anyone, let alone someone such as you who should be familiar with common journalistic and editorial practices.
- 8) Accordingly, your suggestion that I misled the readers of the *Daily*, actually ends up misleading the readers of the *Quid*, a position which I am sure you do not wish to be in.

In closing, let me note that the article in the *Daily* has generated much needed discussion of issues that are fundamental to this faculty. Surely, the inability or the failure of the *Quid* to do nothing beyond publishing the discussion paper does not mean that other McGill publications should respond in a docile and ingratiating manner to such important issues.

No apologies are sound, none are needed. Instead, let us all work toward building a consensus on these issues.

Yours very truly,
Viresh Fernando.
(LL.B I)

Skit Nite

To the *Quid*:

Being able to laugh at oneself is probably one of the healthiest of personal undertakings. Admittedly, it is easier for some than others. We sometimes offend unintentionally when unaware of what we may consider to be one's oversensitivity. But in general, we can all take a joke. However, I will not (and I feel I can speak for the entire LL.B. 1 class) believe that any amount of frustration, discontentment, or even dislike that I may feel during the next four years in the Faculty will somehow desensitize me to the feelings of my peers and professors to the point of their

inevitable embarrassment and humiliation. How can the LL.B. 1 class and a professor maintain a relationship of mutual respect when he is led to believe that he is "universally hated"?

I realize that the commentary I speak of was not representative of the entire Skit Nite show, and I in no way wish to detract from the efforts of the organizers and participants. Unfortunately, however, the next day few I spoke to commented on the \$14,000 raised for the homeless. Instead, they wondered what those who had been ridiculed thought of the "professionals", whom the Reverend referred to at the end of the show. He was reassured that with individuals such as ourselves leading the legal, political and social causes of the future, the less fortunate would never go unnoticed. It seems to me that if we accept this praise we have a responsibility to be consistent in our attitudes towards *all* others. We would not dare ridicule one of the homeless who will be provided for by our charitable contribution. How can we justify the same behaviour towards our peers and professors? Regardless of what has been said on stage in the past by however a limited number, Skit Nite is representative of the *entire* Faculty. All one has to do is put oneself in the place of the individual being satirized to know when it's gone too far. I think we can all agree that we're supposed to be laughing with, and even at, our professors, but our purpose should never be to insult them. We have every reason to be proud of Skit Nite. It says a great deal about the kind of individuals that represent the McGill Faculty of Law. Let's not in future give anyone reason to doubt us.

Kathleen Murphy, LL.B. I

N.B. I Fully support Kathleen's comments. She has entirely reflected my views concerning Skit Nite and it is encouraging to know that people such as Kathleen will ensure the integrity of the event in the future.

Benjy Glustein, LL.B. IV
Fundraising Chairperson,
Skit Nite, '89.

Quid Novi's New Editorial Board

L'année tire à sa fin et l'équipe de rédaction et de production du *Quid Novi* pour 1988-89 doit tirer sa révérence.

Thank you to all the people who have contributed throughout the year. The *Quid Novi* is what we make of it and I think we can be proud of the result!

Une nouvelle équipe a été formée. C'est elle qui en 1989-90 portera le flambeau de l'information étudiante au sein de la Faculté. Merci aux anciens et bonne chance à ceux et celles qui les remplacent.

The 1989-90 board of the *Quid Novi*:

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A Thousand Points of Light cont'd from p. 12

the true Las Vegas showman and gave Elvis a run for his argent, imitating Renaud's own throaty growl. André graduates the small times this year to tour law libraries in France. His summaries and course notes are available on cassette or CD at Sadie's.

The lead off skit - "the answering machine" with distraught first year student Michael Morris was clear genius. With the help of voices unknown, the skit lampooned some faculty favourites: Prof. Scott - "So, come groveling to the feet of the oracle, eh?" and Prof. Benson - "Um, uh, I would have stayed home if I'd known you were calling." The Faculty's own air traffic controller Mrs. Lederer finally calmed him down with "three deep breaths". Sound familiar? Students Godber-Hoffman got stung also but got the last laugh in. At intermission, I saw Peter tapping away on a lap-top computer. Before his first beer, he'd accessed the SAO computers and lowered - at random - the GPA's of 300 students by one point each. So much for exam numbers.

The Franz and Hans LL.B. strongmen were

relentless in their attack on B.C.L.'s "wimpy dean's boy." The audience howled at Ari Levy and Mike's portrayal of Saturday Night Live's muscled dolt heads. Complete with bulging limbs and shoulders, they gloated in the chance to "bulk out these LL.B. muscles" in McGill's National Programme. In needling east-European accents, they tormented Assoc. Dean Jutras who, to his credit, took it all in stride and laughed. "Listen to me now (clap) and remember me later". Pray, just pray, Assoc. Dean Jutras doesn't become Dean Jutras because he just might "remember you later". But really, has either Hans or Franz ever carried a Chevrette and Marx law text or a Crépeau course outline?

Best performance of stereotypes went to tortfeasors "Spot that Tort". Drew Berman played the maniacally gleeful Guy Smiley as McGill's own JP Poitras kicked the stuffing out of Queen's gushing Trish (Lori Knowles) and U of T's reserved Ashley Rosemont (Darcy Edgar). Having seen JP, Mme Justice Wilson has offered to extend the tryst JP won to three weeks. Also, that was a *real* helping U of T's Ashley: Dr. Donald Bur, Cambridge, is a constitutional law wringer from Clarkson Tetrault arriving straight from work in corporate costume.

Most unexpected laugh for most off-colour joke from most surprise source? Gary Bell's joke in "Herbe de Prof" about Québec televangelists' taste for chien chauds.

Few profs dared perform this year. Prof. Sklar appeared as criminal law's original baby boomer, Luke Sklarwalker, jabbing madly at the subdued and every sage H.P. Glenn Kenobee. Dean Macdonald didn't perform this year and nearly escaped as planned in the tarte toss before Norbert slapped a cream-filled pie plate into the left side of his head. A loud cheer rose up when Maria Battaglia was chosen as the victim. Norbert explains that this year's role reversal in the pie toss is all part of our Faculty's version of a "kinder, gentler" presidency.

There's not enough room to review all the skits. The participants were all deserving of the laughs they won and the applause they earned. At \$15,000, we got our money's worth with the laughs going for a dime a dozen. Congratulations to Skit Nite '89 organizers and all the participants. And thanks to those profs who provide us with funny material all year long.